

AMENDMENTS TO THE SPECIFICATION

Please amend the Specification as follows:

On page 1, amend paragraph [0000] as follows:

[0000] This application is a continuation-in-part of U.S. Pat. Appl. Ser. No. 09/931,479, filed August 16, 2001, now abandoned.

~~(3) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT~~

Not Applicable.

~~(4) REFERENCE TO AN APPENDIX~~

Not Applicable.

On page 1, amend paragraph [0002] as follows:

[0002] Numerous consumer products are sensitive to time, environment, and handling. The notion of critical date(s) for an item relates to anything of importance and consequence happening to the product itself, defining or altering usage consideration. As general examples; a comestible may be no longer pleasing or safe to eat, or may have an expected maturity time-frame, namely, becoming ready for optimal consumption; an item having a limited life-span may no longer be potent enough to be effective; or the like. As some specific examples: wine is best kept a constant moderate temperature and oriented horizontally; meat and some dairy products need substantially constant refrigeration; fruits and vegetables are subject to both environmental storage conditions from the time of harvest--namely, temperature and humidity--and damage by rough handling ("G-loads"); photographic film can be affected by radiation and temperature and humidity changes; batteries have a limited shelf life; and the like.

On page 4, amend paragraph [0008] as follows:

[0008] The foregoing summary is not intended to be an inclusive list of all the aspects, objects, advantages and features of the present invention nor should any limitation on the scope of the invention be implied therefrom. ~~This Summary is provided in accordance with the mandate of 37 C.F.R. 1.73 and M.P.E.P. 608.01(d) merely to apprise the public, and more~~

~~especially those interested in the particular art to which the invention relates, of the nature of the invention in order to be of assistance in aiding ready understanding of the patent in future searches.~~ Other objects, features and advantages of the present invention will become apparent upon consideration of the following explanation and the accompanying drawings, in which like reference designations represent like features throughout the drawings.

On pages 10-11, amend paragraph [0031] as follows:

[0031] FIGURE 3 is a flowchart of an exemplary operation of the present invention wherein a unified system of data monitoring, storage and display is provided. The manufacturer or supplier installs the data collecting monitor at the time the product is [[seal]] sealed in its package. The monitoring of historical data for the parameter(s) of interest that are related to the specific product begins immediately, step 303. The data is collected (step 305) and stored on either a continuous or relevant sampling period basis, step 307. In the preferred embodiment, real time analysis of the data is provided, e.g., via ASIC 106), step 309. The data representative of criticality factors, e.g., a critical date related to expiration or maturity, that are generally associated with a decision regarding purchase or use of the product is displayed, step 311. In an embodiment where there are a plurality of parameters of interest to the consumer, display control is provided, step 313, allowing the user to change the current display, step 313, YES-path. The data can be associated with predetermined rules associated with the specific product. As long as a rule related to handling, storage conditions, perishability, and expiration of the product is not violated, data monitoring, storage, and storage continues, step 315, NO-path. If a rule is violated, step 315, YES-path, a warning or other symbolical representation of the violation is displayed, step 317. If the violation is terminal to use of the product, step 319, YES-path, the process ends, step 323, leaving the posted warning (step 317). If the violation is not terminal, step 319, NO-path, the display is nonetheless frozen with the warning of the violation, step 321, and the data collection and storage continues, step 325, for future data access and analysis.

On pages 11-12, amend paragraph [0032] as follows:

[0032] FIGURE 4 demonstrates an exemplary uniform system by which product viability data tracking and display can be implemented. Product characteristic sensor-transmitters 401 may be attachable to individual products 403 (e.g., bottles of wine) wherein a standard

industry protocol is adopted for the data recording and subsequent transmission format. Then, a separate, portable, receiver-display 405 [[is]] may be implemented wherein bringing the receiver-display into contact with a sensor-transmitter output port (wired transmission) or into proximity to a sensor-transmitter (wireless; illustrated by "lightening bolt" symbol 407) results in a display 111 or printout 409 (e.g., from an incorporated ink-jet plotter; not shown), or both, of the historical data, current condition of the product, and the like. Known manner, programmable controls (e.g., ASIC, or microprocessor, based with a LCD touch screen) can be provided (not shown, but see FIG. 1, element 105) as part of the receiver-display 405.

On page 12, amend paragraph [0033] as follows:

[0033] Note that while an individual sensing element (e.g. 107, 109 FIGS. 1 and 1A or 401 FIG. 4) might be mass produced relatively inexpensively, [[e.g.]] for example, a wine case monitor 105 or receiver-display 405 would be a relatively expensive apparatus. Therefore, a programmable reset function may be implemented in the monitor 105 or receiver-display 405. At the same time, to ensure accuracy in the data, the sensing element and its associated memory preferably should be essentially tamper proof.

On pages 24-26, amend paragraph [0053] as follows:

[0053] The foregoing description of exemplary embodiments of the present invention has been presented for purposes of illustration and description. It is not intended to be exhaustive or to limit the invention to the precise form or to exemplary embodiments disclosed. Obviously, many modifications and variations will be apparent to practitioners skilled in this art. The described exemplary embodiments and implementations are not considered to be all inclusive as it will be recognized by those skilled in the art that there are a vast variety of product dependent characteristics, changes in those characteristics, and level of interest dependent upon the specific product with which the present invention is associated and can even be tailored to a specific consumer's level of interest(s); no limitation on the scope of the invention is intended nor should any be implied therefrom. Similarly, any process steps described might be interchangeable with other steps in order to achieve the same result. The embodiment was chosen and described in order to best explain the principles of the invention and its best mode practical application, thereby to enable others skilled in the art to understand the invention for various embodiments

and with various modifications as are suited to the particular use or implementation contemplated. It is intended that the scope of the invention be defined by the claims appended hereto and their equivalents. Reference to an element in the singular is not intended to mean "one and only one" unless explicitly so stated, but rather means "one or more." Moreover, no element, component, nor method step in the present disclosure is intended to be dedicated to the public regardless of whether the element, component, or method step is explicitly recited in the following claims. ~~No claim element herein is to be construed under the provisions of 35 U.S.C. Sec. 112, sixth paragraph, unless the element is expressly recited using the phrase "means for . . ."~~ ~~"and no process step herein is to be construed under these provisions unless the step or steps are expressly recited using the phrase "comprising the step(s) of . . ."~~